

## **HEARING SCHEDULE**

### **Hearings set for Wednesday, July 6, 2016**

<b>Type of Hearing</b>	<b>Name of Entity</b>	<b>Time</b>	<b>Class</b>
1) Show Cause	Sam's West Inc. "Sam's Club 6413" 4900 N 27 Street Lincoln NE 68521	10:00	C-086820

why the license should not be suspended, cancelled, or revoked for failing to file a manager's application with the Commission within the required time, in violation of 237-LCC2-009.01 of the Rules and Regulations of the Nebraska Liquor Control Commission. Furthermore, Investigator requests a show cause hearing due to the retailer being out of compliance with the Rules and Regulations of the Nebraska Liquor Control Commission for well over twice the sixty days allowed.

### **DISMISSED**

2) Application Local Denial & Show Cause	Lou Lou's Lounge LLC "Lou Lou's Lounge" 5250 Cornhusker Highway Lincoln NE 68504	10:00	C-117295
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whether or not the application should be approved and a license issued due to character and reputation, i.e., Lindee Schulte disclosed:

- 9/06- Maintaining a disorderly house
- 8/09- Leave the scene of an accident
- 6/10- Make a false statement
- 10/10- DUI/Suspend license
- 11/10- DUI/Suspend license

Additionally, Investigator requests show cause hearing for concerns on who has control of premise and applicants history of uncooperative behavior/affiliations and convictions.

Furthermore, Application fee filed with us for \$400 was returned from the bank as "Not Sufficient Funds" Fee has not been reimbursed.

### **DENIED**

3) Show Cause	Riley Drive Entertainment XI LLC "Saint's Pub & Patio Midtown Crossing" 120 S 31 Street Omaha NE 68131	10:00	IK-100687
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whether the Manager's application of William McAlpin should not be denied due to character and reputation.  
Applicant disclosed:

- 2/02- Possession of marijuana
- 7/02- Possession of marijuana
- 2/03- Assault of peace officer
- 2/04- Possession of marijuana

Additionally, if the applicant is eligible under Neb. Rev. Stat. Sec. 53-125.

**CONTINUED**

4) Show Cause	Riley Drive Entertainment XCII LLC "Saint's Pub Roanoke" 4915 N 120 Street, Suite 1 Omaha NE 68164	10:00	I-110037
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whether the Manager's application of William McAlpin should not be denied due to character and reputation.  
Applicant disclosed:

- 2/02- Possession of marijuana
- 7/02- Possession of marijuana
- 2/03- Assault of peace officer
- 2/04- Possession of marijuana

Additionally, if the applicant is eligible under Neb. Rev. Stat. Sec. 53-125.

**CONTINUED**

5) Show Cause	Wong Properties LLC "Panda House" 301 S 16 Street Omaha NE 68102	10:00	I-117299
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why the application for license should not be denied due to character and reputation and falsification of the application, i.e., Investigator is requesting a show cause hearing with both buyer and seller due to allowing another to operate in violation of Neb. Rev. Stat. Sec. 53-149 and/or 237-LCC6-019.01E of the Rules and Regulations of the Nebraska Liquor Control Commission. Additionally, applicant failed to disclose the following:

- 4/96- Procure Alcohol for minor

**APPROVED- WITH CONDITION THAT ALCOHOL BE STORED IN ON FIRST FLOOR IN LICENSED AREA.**

6) Show Cause	Mero Mero Company "España Restaurant" 6064 Maple Street Omaha NE 68104	10:00	I-084860
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why the license should not be suspended, cancelled, or revoked for failure to pay hearing costs of \$25.00 assessed in commission order dated April 25, 2016, in violation of 237-LCC1-008 of Rules and Regulations of the Nebraska Liquor Control Commission.

**DISMISSED**

7) Show Cause	Humphrey Community Foundation "Steepleview Golf Course" 27069-467 Street Humphrey NE 68642	11:15	I-037032
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whether the Manager's application of Matthew Krings should not be denied due to character and reputation. Applicant disclosed:

- 7/03- Careless driving
- 11/04- Delinquency (set aside)
- 6/06- MIP
- 09/08- Littering
- 04/09- False Report

Additionally, Investigator has concerns about applicant's character and reputation. He failed to disclose a few traffic convictions and a MIP.

**APPROVED**

8) Show Cause	GMRI Inc. "Olive Garden 4416" 1010 Allen Drive Grand Island NE 68803	11:15	I-096971
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whether the Manager's application of Sean P Roll should not be denied due to character and reputation. Applicant disclosed:

- 7/13- Speeding
- 4/06- DUS
- 2/06- DUI
- 8/04- Failure to maintain financial responsibility
- 8/05- Invalid license
- 9/03- Possession of marijuana/drug paraphernalia
- 12/02- Possession of marijuana/drug paraphernalia
- 8/01- Speeding
- 7/01- Speeding
- 7/00- Possession of marijuana/drug paraphernalia
- 7/00- Speeding
- 3/00- Speeding
- 1/99- Possession of marijuana
- 12/98- MIP
- 10/98-Obey traffic device

- 3/98- Failure to yield right of way
- 12/95- Failure to yield right of way
- 12/95- No driver's license

**APPROVED**

9) Show Cause	Lado A Lado Inc. "A Couple of Things Drive Thru" 6221 Center Street Omaha NE 68131	11:15	D-110696
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why the license should not be cancelled for failing to complete the licensing process by paying such appropriate fees and obtaining such license within twenty-one calendar days. License Renewal was submitted online on April 14, 2016 by Michael Sartori. New liquor license was mailed to the city clerk's office around April 15, 2016 for pickup. Liquor license was never picked up, in violation of 237-LCC6-020.02 of the Rules and Regulations of the Nebraska Liquor Control Commission.

**CANCEL**

10) Show Cause	David and Tamela Sikes "Box Car" 1920 Kearney NE 68847	11:15	I-049947	A
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why the license should not be cancelled for failing to complete the licensing process by paying such appropriate fees and obtaining such license within twenty-one calendar days. License Renewal was submitted online on March 29, 2016 by David Sikes. New liquor license was mailed to the city clerk's office around April 1, 2016 for pickup. Liquor license was never picked up, in violation of 237-LCC6-020.02 of the Rules and Regulations of the Nebraska Liquor Control Commission.

**CANCEL**

11) Show Cause	Fast Phil Plaza Inc. "Fast Phil Plaza" 405 Second Street Kearney NE 68847	11:15	D-048046
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why the license should not be cancelled for failing to complete the licensing process by paying such appropriate fees and obtaining such license within twenty-one calendar days. License Renewal was received on March 18, 2016 by Daniel Stump. New liquor license was mailed to the city clerk's office around April 1, 2016 for pickup. Liquor license was never picked up, in violation of 237-LCC6-020.02 of the Rules and Regulations of the Nebraska Liquor Control Commission.

**CANCEL**

12) Application	La Mexicana Inc.	1:15	I-116899
Local Denial/	"La Mexicana Market"		
Show Cause	385 North Pine		
	Grand Island NE 68801		

whether the application should be approved and a license issued due to character and reputation and falsification of the application, i.e., failure to disclose prior convictions and false application.

**DENIED**

13) Application	Azteca Market LLC	1:15	I-116929
Local Denial	"The Brick House"		
	115-117 W 3 <sup>rd</sup> Street		
	Grand Island NE 68801		

**CONTINUED**

14) Application	Azteca Market LLC	1:15	I-116930
Local Denial	"Azteca Banquet Hall"		
	103 W 3 <sup>rd</sup> Street		
	Grand Island NE 68801		

**WITHDRAWN**

15) Show Cause	Inlet Hideaway LLC	1:15	I-116950
	"The Inlet Hideaway"		
	2 Johnson Lake Drive 18		
	Elwood NE 68937		

why the application should not be denied due to character and reputation and falsification of the application, i.e., Investigator has concern about possible hidden ownership.

**DENIED**

16) Show Cause	Rhonda Housel	2:30	C-111047
	"Tiki Time"		
	9661 Renee Avenue		
	Plattsmouth NE 68048		

why the license should not be suspended, cancelled, or revoked for failure to complete training as determined to be required based on lack of experience listed on application for Rhonda Housel and Michael Housel.

**CANCEL UNLESS TRAINING IS SUBMITTED WITHIN 30 DAYS OF DATE OF THE ORDER.**

17) Show Cause	Keane W Lohmiller "Suzy's Pizza & Pub" 209 W Arnold Avenue Arnold NE 69120	2:30	CK-093311
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why the license should not be suspended, cancelled, or revoked for failure to comply with a specific Order of the Commission, i.e. training, as set forth in Commission Order dated November 24<sup>th</sup>, 2015, in violation of 237-LCC1-005.01 of the Rules and Regulations of the Nebraska Liquor Control Commission.

**22 DAYS SUSPENSION + TRAINING**

18) Show Cause	Allen Enterprises, Inc. "Omaha Mining Company" 1715 Leavenworth Street Omaha NE 68102	2:30	C-108506
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why the license should not be suspended, cancelled, or revoked for failure to complete training as determined to be required based on lack of experience listed on application for Joseph Allen, Jr.

**DISMISSED**

19) Show Cause	L & N Investments "Cottonwood Cove" 10270 Riverside Lane Blair NE 68008	2:30	C-11116
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why the license should not be suspended, cancelled, or revoked for failure to complete training as determined to be required based on lack of experience listed on application for Steven Lupardus.

**DISMISSED**

20) Application Local Denial/ Show Cause	16 <sup>th</sup> Empire LLC "16 <sup>th</sup> Empire" 1605 Avenue A Scottsbluff NE 69361	2:30	C-117296
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whether or not the application should be approved and a license issued due to character and reputation, i.e. Lucy Martinez disclosed:

- 4/13- Selling tobacco to a minor

Vincent Martinez disclosed:

- 12/00- DUS
- 4/01- DUI
- 10/03- DUS
- 12/07- DUS/Open Container

Leticia Martinez disclosed:

- 1/03- Negligent driving
- 1/10- Negligent driving

Jessie Martinez disclosed:

- Traffic violation
- 5/08- Assault charge

Additionally, Investigator requests show cause due to financial judgement obligation with rent owed for their current liquor license. Lucy Martinez is currently licensed at the "Ice Box Beer & Wine Liquor Store" in Mitchell.

**APPROVED**

21) Show Cause

MRC Inc.  
“Sandhillers Bar”  
207 Box Butte Avenue  
Alliance NE 69301

2:30 C-35323/  
E-118111

whether or not the applications received for the license should be approved for an Entertainment District License, i.e., the commons area is not closed to vehicular traffic (Neb. Rev. Stat. Sec. 53-123.17)

**DENIED**

## HEARING SCHEDULE

### **Hearings set for Thursday, July 7, 2016**

1) Show Cause	Backswing Brewing Co LLC “Backswing Brewing Company” 500 W South Street, Suite 8 Lincoln NE 68522	9:00	L-117323
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why the class L liquor license application should not be denied to character and reputation, i.e. Thomas Walker disclosed the following:

- 1994-Speeding
- 1994- Speeding
- 2000- DUI
- 2002- Parks closed/After hours

Patrick Simpson disclosed the following:

- 1997- OWI
- 1999- No valid operator’s license
- 2002- Speeding
- 2009-DUI

Cory S Sinclair disclosed the following:

- 1998- Speeding
- 1999- Unlawful acts
- 2003- Speeding
- 2003- Speeding
- 2016- DUI

Additionally, whether the applicant can comply with all the provisions, requirements, rules, and regulations adopted by the Liquor Control Act.

**APPROVED**



2) Show Cause

Backswing Brewing Co LLC  
“Backswing Brewing Company”  
500 W South Street, Suite 8  
Lincoln NE 68522

9:00

CK-117324

why the class L liquor license application should not be denied to character and reputation, i.e. Thomas Walker disclosed the following:

- 1994-Speeding
- 1994- Speeding
- 2000- DUI
- 2002- Parks closed/After hours

Patrick Simpson disclosed the following:

- 1997- OWI
- 1999- No valid operator’s license
- 2002- Speeding
- 2009-DUI

Cory S Sinclair disclosed the following:

- 1998- Speeding
- 1999- Unlawful acts
- 2003- Speeding
- 2003- Speeding
- 2016- DUI

Additionally, whether the applicant can comply with all the provisions, requirements, rules, and regulations adopted by the Liquor Control Act.

**APPROVED**

3) Show Cause

Maria Bonita Mexican Cuisine  
"Maria Bonita Mexican Cuisine"  
5132 L Street  
Omaha NE 68117

9:00

A-117343

why the class A liquor license application should not be denied to character and reputation and falsification of the application, i.e. Itzel Lopez disclosed the following:

- 10/11- No driver's license
- Speeding

Karen Klingberg disclosed the following

- 1/10- Misdemeanor reckless driving

Karen Klingberg failed to disclose the following:

- 10/03- Speeding
- 02/04- Registration violation
- 08/04- Registration violation

Karen Klingberg amended the application to include:

- 2/99- Failure to appear

Leonel Martinez disclosed the following:

- 8/13- Speeding

Leonel Martinez failed to disclose the following:

- 8/02- Duty to carry license/Failure to dim lights
- 2/05- Duty to carry license/No registration
- 3/07- Duty to carry license/Following too close

Additionally, Investigator has requested a show cause hearing for failure to disclose all criminal history, lack of managerial duties on the manager listed, and financial discrepancy on the application.

**APPROVED WITH THE CONDITION THAT A NEW MANAGER'S APPLICATION WILL BE ON FILE WITH THE COMMISSION WITHIN 30 DAYS OF THE ORDER.**

4) Show Cause                      US 30 Speedway LLC                      9:00                      C-117325  
   "US 30 Speedway"  
   23500 W Hwy 30  
   Columbus NE 68601

why the class C liquor license application should not be denied to character and reputation and falsification of the application, i.e. Mari Melcher disclosed the following:

- 2004- Bad Check

Ronald Melcher disclosed the following

- 1984-DUI

Ronald Melcher failed to disclose the following:

- 1997- Dirty or lost plates
- 2001- Speeding
- 2001- No valid registration
- 2004- No registration in vehicle
- 2004- Possess or consume open alcohol container
- 2006- Open container
- 2006- Consume alcohol on public property
- 2006- No valid registration
- 2008-Open container
- 2011- Possession of open container

Additionally, Investigator has concerns on the above omissions from the application and for the character and reputation of Ronald Melcher with alcohol related convictions and Misdemeanors.

Furthermore, whether the applicant can comply with all the provisions, requirements, rules, and regulations of the Liquor Control Act.

**APPROVED WITH CONDITIONS:**

1. **ALL EMPLOYEES COMPLETE TRAINING**
2. **NO PERSONAL ALCOHOL RELATED VIOLATIONS BY RONALD MELCHER FOR 2 YEARS FROM THE DATE OF THE ORDER.**
3. **RONALD MELCHER WILL NOT BE INVOLVED WITH THE ALCOHOL PART OF THE BUSINESS.**

5) Show Cause                      NCO LLC                      10:15                      I-117356  
   "Tailgater's Sports Bar"  
   2603 S 120 Street  
   Omaha NE 68114

why the class I liquor license application should not be denied due to character and reputation, i.e. David Akiens disclosed the following:

- 5/02- Dog running
- Speeding violations

Additionally, Investigator has requested a show cause hearing based on bankruptcy filing, two active liens, and a questionable possible civil suit regarding financial discrepancies.

Furthermore, David Akiens has held three liquor licenses in the past; all three are no longer active licenses.

**DENIED**

6) Show Cause

Jared Rogers  
"Uncle Jarrol's Pub-B-Que"  
2610 W Norfolk Avenue  
Norfolk NE 68701

10:15

CK-116916

why the class CK liquor license application should not be denied to character and reputation and falsification of the application, i.e. Jared Rogers disclosed the following:

- 03/15- Reckless Driving

However, Jared Rogers failed to disclose:

- 2001- MIP
- 2001- Violate traffic signal
- 2002- Disturbing the peace
- 2002- Following too closely
- 2002- Curfew for minors
- 2002- Negligent driving
- 2003- Disorderly conduct
- 2004- Speeding (21 +)
- 2006- Fictitious plates
- 2007- Speeding

Additionally, Investigator has concerns about Jared Roger's character and reputation due to not disclosing all convictions.

**APPROVED WITH THE CONDITIONS THAT ALL EMPLOYEES COMPLETE TRAINING AND THAT THERE WILL NOT BE ANY PERSONAL OR BUSINESS ALCOHOL RELATED VIOLATIONS FOR 1 YEAR FROM THE DATE OF THE ORDER.**